

Meeting Minutes



Joint Commission on Health Care

Wednesday, September 4, 2019 – 9:30 a.m.

Senate Committee Room A- Pocahontas Building

Members Present

Delegate David L Bulova
Delegate T. Scott Garrett (call in)
Delegate C.E “Cliff” Hayes, Jr.
Delegate Patrick A. Hope
Delegate Riley E. Ingram
Delegate Robert D. Orrock, Sr.
Delegate Christopher P. Stolle

Senator George L. Barker
Senator Charles W. Carrico, Sr.
Senator Rosalyn R. Dance
Senator Siobhan S. Dunnavant (call in)
Senator John S. Edwards
Senator L. Louise Lucas
Senator Glenn H. Sturtevant, Jr. (call in)
Senator David R. Suetterlein

Honorable Daniel Carey, M.D.

Members Absent

Delegate Roslyn C. Tyler
Delegate Christopher K. Peace
Delegate Kaye Kory

Staff Present

Michele Chesser
Paula Margolis
Andrew Mitchell
Stephen Weiss
Agnes Dymora

Call to Order

Senator Carrico, due to Senator Dance’s late arrival, called the meeting to order and introduced our newest JCHC member, Delegate Orrock.

Stephen Weiss presented findings and recommendations to address the availability of forensic examination nurses and programs. The recommendations include: recognizing forensic nurses in the Virginia State Code, forming a task force and having the Board of Nursing establish standardized training that nurses can complete to be considered forensic nurse examiners in Virginia and collaborating with the State Council of Higher Education for Virginia to insure that schools that may offer a forensic nurse examiner program meet the standards if they offer such a program; add local health care providers such as hospital administrators, local health department and community health centers to the sexual assault response teams organized in Code under the Commonwealth’s Attorneys; require that licensed hospitals in the state create and maintain a sexual assault referral protocol to make sure that patients, law enforcement and EMS providers are directed to a hospital where they can receive a forensic exam; make the victims compensation fund available to victims of sexual assault whether they file a police report or not, Weiss noted that almost 40% of forensic examinations are done anonymously which means the victim is responsible for medical expenses not covered by the state sexual assault forensic examination (SAFE) program; amend the Virginia Code concerning explanation of benefits to protect the privacy of adult dependents and require the Bureau of Insurance to establish administrative rules

governing the protection, especially for victims of sexual assault and domestic or intimate violence; the presentation included recommendations to increase reimbursement rates from the SAFE program, the current rates were established in 2010; finally, the presentation recommended a budget amendment to create a implementation work group to determine the feasibility of moving the SAFE program to the Department of Medical Assistance, to modernize forensic nurse exam claims processing and procedures and to make the SAFE claims medical claims.

Andrew Mitchell presented the study: Language Development Milestones and Parent Resources for Young Deaf/Hard of Hearing Children. The presentation provided background on hearing loss, the importance of language acquisition, and Virginia's system of services and supports for Deaf/Hard of Hearing children 0-5 years old. Several implementation-related considerations related to the bill upon which the study was based - SB 1741 - as well as recommended modifications to SB 1741 were presented. Finally, a variety of alternative approaches to SB 1741 focused on language acquisition and development were discussed related to tracking literacy outcomes among this population, providing information to families of Deaf/Hard of Hearing Children, and improving selected services supported by the Commonwealth. Seven policy options were provided, including re-introducing a modified version of SB 1741, using existing data systems to longitudinally track literacy outcomes of Deaf/Hard of Hearing children, improving parents' awareness of language milestones and available services through existing channels, and exploring ways to build upon improve selected services supported by the Commonwealth for this population.

Paula Margolis provided information describing the complex array of arrangements, pricing and middlemen that participate in the prescription drug distribution and payment system. Participants include drug manufacturers, wholesalers, pharmacy benefit managers (PBMs), pharmacy services administrative organizations (PSAOs), insurance companies, federal and state governments, pharmacies, and consumers. Many contracts between the market participants are proprietary and involve the payment by manufacturers of rebates and other incentives, in exchange for increased market share that can be influenced by the purchasers. Average drug costs are published by data vendors, but the published prices are not net of rebates, discounts or chargebacks (money that is taken back from purchasers, based on contract terms). The lack of transparency supports the maximization of revenue by participants in the distribution chain and can result in consumers paying higher costs at retail pharmacies and through higher insurance premiums. Many states have enacted laws and regulations to increase prescription drug price transparency through reporting requirements and contract terms that inhibit hidden rebates; cap payments for certain drugs; set up purchasing collectives; import drugs from Canada; ban certain practices, such as pay-to-delay that postpone the marketing of less expensive generic drugs; value-based pricing, subscription models, and other methods with the aim of slowing cost increases of prescription drugs. In addition to states' actions, Congress and the administration have introduced legislation at the federal level to address prescription drug market distortions. Several policy options were offered to the Commission members for consideration.

Electronic Meeting: Yes

Senator Dunnavant- prior work commitment

Senator Sturtevant- prior work commitment

Delegate Garrett- prior work commitment

Prepared by: Agnes Dymora